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Attorneys for Plaintiff

Sholanda McGill

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHOLANDA MCGILL, an Individual,
Plaintiff,

vs.

ERIC K. SHINESKI, Secretary of Veteran
Affairs the head of the Department of
Veteran Affairs, a Government Agency;
DOES 1 through 25, inclusive; and ROE
CORPORATIONS 1 through 25, inclusive,
Defendants.

Case No. 2:14-cv-00137-RCJ-VCF

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES**

(FIRST REQUEST)

Pursuant to Local Rules 6-1 and 26-4, Defendant Eric K. Shineski ("Defendant") and Plaintiff Sholanda McGill ("Plaintiff"), by and through their undersigned counsel, hereby stipulate to amend the Discovery Plan and Scheduling Order (Doc. No.: 21) by extending the outstanding discovery deadlines for a period of ninety (90) days. This is the first request for an extension to the discovery plan and scheduling order in this matter. The requested extension is sought in good faith and not for purposes of undue delay. Further, the parties' request for an extension of

1 the outstanding discovery deadlines is subject to the good cause standard. Unfortunately, this
2 requests is being brought before the Court less than 21 days prior to the expiration of the
3 discovery cutoff deadline, which is currently set for September 15, 2015. It has come to the
4 attention of the undersigned counsels that the extension of discovery is necessary as the
5 additional time will allow the parties to complete the outstanding discovery due in this matter.

6 **DISCOVERY COMPLETED TO DATE**

7 The parties have exchanged initial disclosures pursuant to FRCP 26(a)(1). Plaintiff
8 propounded its First Set of Interrogatories, Requests for Production of Documents, and Requests
9 for Admissions on August 12, 2015. Additionally, Plaintiff has noticed two depositions. Due to
10 scheduling conflicts, Defendants and witnesses are not available for deposing until the 3rd week
11 of September after the discovery cut off deadline.

12 Further, Defendant's filed a Partial Motion to Dismiss on March 03, 2012 (Doc. No.: 18).
13 Plaintiff filed her Opposition to Defendants Partial Motion on April 02, 2015 (Doc. No.: 20). On
14 May 07, 2015, the Honorable Court issued an Order granting Defendant's Partial Motion to
15 Dismiss and granting Plaintiff the opportunity to amend her Complaint (Doc. No.: 25). On May
16 21, 2015, Plaintiff filed an Amended Complaint (Doc. No.: 28). Defendant filed an Answer June
17 16, 2015. Prior to Defendant's Answer the parties conduct very limited discovery. Given the
18 results of the Motion to Dismiss and the disposition which dismissed some of Plaintiff's claims
19 the subject matter for discovery changed from the initial stages of this proceeding requiring
20 discovery on very specific matters. thus, the parties stipulate to request this extension.

21 **DISCOVERY THAT REMAINS TO BE COMPLETED**

22 Written discovery is ongoing in this case. Responses have not yet been received to the
23 parties' discovery requests. Defendant's responses to Plaintiff's written discovery are due on
24 September 12, 2015. The parties understand they may meet and confer to discuss the parties'
25 discovery response and/or to seek supplemental responses.

Further, the parties will take depositions in this matter. Defendant will take Plaintiff's
deposition, and may take others depending on the discovery and subpoena responses it receives.

1 Plaintiff anticipates taking Defendant's 30(b)(6) deposition and may take others, depending on
 2 the discovery responses she receives. The parties anticipate scheduling their depositions in
 3 September and October.

4 **REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

5 This extension is necessary to allow both parties ample time to complete all appropriate
 6 discovery. Additional time is needed for discovery because Plaintiff's counsel was out of state on
 7 personal trips for nearly three-weeks during the pendency of the discovery period. As well the
 8 Defendant's counsel has pre-planned business meetings and cases which has presented
 9 obstacles for Defendant to produce witnesses prior to the 3rd week of September 2015.

10 Additionally, the parties will need to complete written discovery, including resolving any
 11 discovery disputes, and receive responses to third-party subpoenas before the deposition phase
 12 of discovery can begin. By agreeing to extend the discovery cut-off by 90 days the parties believe
 13 that, absent any unforeseen circumstances, all necessary discovery can be accomplished by the
 14 requested extended deadline.

14 **PROPOSED REVISED DISCOVERY PLAN**

15 **1. Discovery Cut-Off Deadline**

16 The discovery cut-off deadline shall be extended for 90 days from September 15, 2015 to
 17 December 14, 2015.

18 **2. Dispositive Motions Deadline**

19 The parties shall file dispositive motions 30 days after the extended discovery cut-off
 20 date, and therefore, not later than January 13, 2016.

21 **3. Joint Pretrial Order Deadline**

22 If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint
 23 Pretrial Order shall be filed 30 days after the date set for filing dispositive motions, and
 24 therefore, not later than February 12, 2016. In the event dispositive motions are filed, the date
 25 for filing the Joint Pretrial Order shall be suspended until 30 days after the Court enters a ruling
 on the dispositive motions or otherwise by further order of the Court.

1 4. Interim Status Report Deadline

2 In accordance with Local Rule 26-3, the parties submitted an interim status report on
3 August 19, 2015. An additional Interim Status Report will be filed by the parties with the Court
4 60 days prior to the extended discovery cut-off date, and therefore, not later than October 15,
5 2015.

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5. Extensions or Modification of the Discovery Plan and Scheduling Order:

In accordance with Local Rule 26-4, any stipulation or motion for modification or extension of this discovery plan and scheduling order must be made at least 21 days prior to the expiration of the subject deadline.

Accordingly, the parties stipulate, subject to approval of this Court, to the following new proposed deadlines:

Deadline	Current Deadline	Revised Deadline
Interim Status Report:	July 6, 2015	October 15, 2015
Discovery Cut-Off:	September 15, 2015	December 14, 2015
Dispositive Motions:	October 15, 2015	January 13, 2016
Joint Pretrial Order:	November 14, 2015	February 5, 2016

Respectfully Submitted By:

DATED this 31st day of March, 2015

/s/ Erica D. Loyd, Esq.
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DATED this 31st day of March, 2015

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IT IS SO ORDERED:

DATED this 31st day of August _____.


 THE HONORABLE CAM FARENBACH
 UNITED STATES MAGISTRATE JUDGE